



Town Council Agenda Report

SUBJECT: Vacation/Abandonment

Application No., Project Name and Location: VA 11-1-00, NW 33 Street Road Right-of-Way Vacation, Generally located between Davie Road Extension and NW 75 Avenue, extending from Davie Road Extension approximately 310 feet west.

CONTACT PERSON/NUMBER

Mark Kutney, AICP (797-1101)

TITLE OF AGENDA ITEM:

NW 33 Street Road Right-of-Way Vacation

REPORT IN BRIEF:

The Town is requesting to vacate a portion of right-of-way known as NW 33 Street between Davie Road Extension and NW 75 Avenue, extending from Davie Road Extension approximately 310 feet west.

The subject right-of-way terminates at the intersection of NW 33 Street and NW 75 Terrace. The right-of-way is not needed to provide access to adjoining multi-family properties, as they obtain access further west of the subject vacation of right-of-way. Road right-of-way will revert to adjacent property owners and will provide additional open space and/or paved areas. All adjacent property owners have authorized this request, and staff has received no letters of objection from utility provider. Staff therefore finds this request to be consistent with the public welfare.

PREVIOUS ACTIONS:

None

CONCURRENCES: Engineering Division recommends approval.

The Planning and Zoning Board motion to recommend approval (5-0) December 13, 2000 meeting.

RECOMMENDATION(S): Motion to approve.

Attachment(s): Planning Report, Sketch and Description, Plat, Land Use, Subject Site, and Aerial.

Application #: VA 11-1-00

Revisions:

Exhibit “A”

Original Report Date: December 4, 2000

**TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation**

APPLICANT INFORMATION

Owner/Agent

Name: Town of Davie

Address: 6591 Orange Drive

City: Davie, FL 33314

Phone: (954) 797-1101

BACKGROUND INFORMATION

Application Request: To vacate a portion of the NW 33 Street right-of-way; located between Davie Road Extension and NW 75 Avenue, extending from Davie Road Extension approximately 310 feet west.

Address/Location: 7485 Davie Road Extension

Land Use Plan Designation: Commercial, Residential (10 and 16 du/ac)

Zoning: B-1, Neighborhood Business District, B-2, Community Business District, and CF, Community Facility District, and RM-16, Medium-High Density Dwelling District

Existing Use: Road right-of-way.

Proposed Use: Developable area for the Sessoms Building

Parcel Size: .29 acres (12,850 square feet)

Surrounding Land Use:

Land Use Designation:

North: El Jardin and Ehlinger Apts.
Vacant Parcel
South: Sessoms Off. Bldg. (under
Construction)
East: Davie Rd. Ext. and Vacant Land,
Eddie's Auto Clinic
West: Remaining portion of NW 33
Street

North: Residential (10 and 16 and
du/ac)
South: Commercial
East: City of Hollywood
West: Commercial

Surrounding Zoning:

North: CF, Community Facility District, and RM-16, Medium-High Density Dwelling
District
South: B-1, Neighborhood Business District, B-2, Community Business District
East: Davie Rod. Ext. and
West: B-1, Neighborhood Business District and RM-16, Medium-High Density
Dwelling District

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: A delegation request has been processed to relocate the approved access opening from Davie Road Extension to NW 75 Avenue and to increase the site area from 77,495 square feet (1.78 acres) to 84,902 square feet (1.95 acres) due to a vacation of right-of-way for a portion of NW 33 Street, being initiated by the Town of Davie.

Development Plan Details

The subject property is part of a 1.78 acre site and proposed to be developed on the west half of the site is 4,802 square foot office building with the east half of the site remaining vacant. The vacation of the right-of-way for NW 33 Street will increase the acreage of the proposed site to 1.95 acres.

Summary of Significant Development Review Agency Comments

The Engineering Department recommended approval of the subject request. Staff received letters of no objection from all utilities.

Application Codes and Ordinances

Land Development Code Section 12-310(B)(1) requires that Town Council must review and approve vacations and abandonments by Ordinance.

Comprehensive Plan Considerations

Planning Area: The proposed project is within the Planning Area No. 11 characterized by multi-family residential development on the south side of Stirling Road, ranging from 8 to 16 dwellings per acre. Housing in this area is generally in stable to marginal condition.

Flexibility Zone: The subject property is located within Flexibility Zone 102.

Concurrency Considerations: None

Applicable Goals, Objectives & Policies: None

Staff Analysis

The right-of-way is not needed to provide access to Sessoms Office Building site as access is provided from NW 75 Avenue via Davie Road Extension. Road right-of-way will revert to Sessoms` Office Building site to the south and will provide additional open space and/or paved areas and a vacant lot to the north.

Findings of Fact

Section 12-310(A)(1)(a)&(b) requires that review of vacation of right-of-way requests be based upon whether or not the request adversely affects access to neighboring properties and whether it will be in conflict with the public interest. Based upon this code requirement, staff finds that this request does not adversely affect adjoining properties as access is provided from NW 33 Street to the west of the area being vacated, and will not be contrary to the public interest.

Staff Recommendation

Recommendation: Based upon the above and the findings of fact in the positive, staff recommends approval of application number VA 11-1-00.

Planning and Zoning Board Recommendation

The Planning and Zoning Board motion to recommend approval (5-0) December 13, 2000 meeting.

Exhibits

Ordinance (To be provided after Merits hearing), Planning Report, Sketch and Description, Plat, Land Use Map, Subject Site Map, and Aerial.

Prepared By: _____

Reviewed By: _____

Item No.

Exhibit "A"

N.W. 75TH AVENUE
(RIGHT-OF-WAY PER P.B. 52-1 R.C.R.)
S. 12° 31' 11" 321.11'

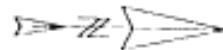
DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED:
A PORTION OF TRACTS 61 AND 62 OF THE A.J. HENDEL SURVEY
OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST AS RECORDED
IN PLAT BOOK 1, PAGE 27, OF THE PUBLIC RECORDS OF DADE COUNTY,
FLORIDA, AND ALL THAT AREA LYING NORTHEASTERLY OF AN ARC HAVING
A RADIUS OF 15.0 FEET WHICH IS TANGENT TO THE SOUTH RIGHT-OF-WAY
OF NORTHEAST AND STREET AND TANGENT TO THE NORTHERLY RIGHT-OF-WAY
LINE OF DAVIS ROAD EXTENSION, ALL IN SAID TRACT 61; ALL BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 3,
THENCE RUN ON AN ASSUMED BEARING OF SOUTH 87°45'53" WEST ALONG
THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3 AND
ALONG THE NORTH LINE OF SAID TRACT 61 A DISTANCE OF 1407.50 FEET TO
A POINT OF BEGINNING ON SAID NORTHEASTLY RIGHT-OF-WAY LINE OF DAVIS
ROAD EXTENSION; THENCE CONTINUE SOUTHERLY RIGHT-OF-WAY LINE OF DAVIS
ROAD AND ALONG THE NORTH LINE OF SAID TRACT 62 A DISTANCE OF 291.60 FEET;
THENCE SOUTH 2°14'02" EAST A DISTANCE OF 10.00 FEET; THENCE NORTH
87°45'53" EAST A DISTANCE OF 58.58 FEET TO THE WEST LINE OF TRACT 61;
THENCE SOUTH 1°27'38" EAST ALONG THE WEST LINE OF TRACT 61 A
DISTANCE OF 15 FEET; THENCE NORTH 87°45'53" EAST PARALLEL WITH
THE NORTH LINE OF TRACT 61 A DISTANCE OF 162.65 FEET TO A POINT OF
CURVATURE; THENCE NORTHEASTERLY AND SOUTHERLY ALONG THE ARC OF CURVE
CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 15.0 FEET THROUGH A
CENTRAL ANGLE OF 141°14'54", AN ARC DISTANCE OF 56.98 FEET TO A
POINT OF CUSP ON SAID NORTHEASTLY RIGHT-OF-WAY LINE OF DAVIS ROAD
EXTENSION; THENCE NORTHEASTERLY ALONG SAID NORTHEASTLY RIGHT-OF-WAY LINE
AND ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A
RADIUS OF 1587.28 FEET THROUGH A CENTRAL ANGLE OF 2°53'30", AN
ARC DISTANCE OF 80.11 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE TOWN OF DAVIS, BROWARD COUNTY, FLORIDA, AND
CONTAIN 5824 SQUARE FEET (0.13 ACRES), MORE OR LESS.



SCALE: 1" = 60'



DAVIS ROAD EXTENSION

RADIUS=15'
DELT=141°14'54"
ARC=56.98'

RADIUS=1587.28'
DELT=2°53'30"
ARC=80.11'

5.87°45'53"N. 162.65'

5.87°45'53"N. 291.60'

POINT OF BEGINNING

POINT OF CUSP

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

PREPARED BY STEPHEN H. CHIPS LAND SURVEYORS, INC. 2131 HOLLYWOOD BOULEVARD, SUITE 203 HOLLYWOOD, FL 33020 (954) 923-7868 LICENSED BUSINESS NO. 50156	DATE OF SKETCH 1-19-2000 SCALE: 1" = 60' F.T. TYPE OF SKETCH OR SKETCH SKETCH OF DESCRIPTION SIGNATURE STEPHEN H. CHIPS, FOR THE FIRM PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 4054	JOB NO. OF NO. DRAWING NO. REVISION DATE	JOB NO. OF NO. DRAWING NO. REVISION DATE
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Exhibit "B"

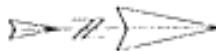
DESCRIPTION OF RIGHT OF-WAY TO BE VACATED: A PORTION OF THE SOUTH 30 FEET OF TRACTS 9 AND 10 OF THE A.J. BLUMER SUBDIVISION OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST AS RECORDED IN PLAT BOOK 1, PAGE 27, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 3, THENCE RUN ON AN ASSUMED BEARING OF SOUTH 87°45'53" WEST ALONG THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 3 AND ALONG THE SOUTH LINE OF SAID TRACT 9 A DISTANCE OF 1422.40 FEET TO A POINT OF BEGINNING ON THE NORTH RIGHT-OF-WAY LINE OF DAVE ROAD EXTENSION; THENCE CONTINUE SOUTH 87°45'53" WEST ALONG SAID LINE AND ALONG THE NORTH LINE OF SAID TO A DISTANCE OF 226.49 FEET; THENCE NORTH 2°14'07" WEST A DISTANCE OF 300.00 FEET; THENCE NORTH 87°45'53" EAST PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 9 AND 10 A DISTANCE OF 300.76 FEET TO A POINT OF CURVATURE; THENCE SOUTH WESTERLY ALONG THE ARC OF CURVE CONCAVE TO THE NORTHWEST, WHOSE CENTER BEARS NORTH 45°05'44" WEST FROM SAID POINT, HAVING A RADIUS OF 1577.28 FEET AND A CENTRAL ANGLE OF 1°57'38", AN ARC DISTANCE OF 44.80 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE TOWN OF DAVE, BROWARD COUNTY, FLORIDA, AND CONTAIN 7026 SQUARE FEET (0.16 ACRES), MORE OR LESS.



SCALE: 1" = 60'



DAVE ROAD EXTENSION

POINT OF COMMENCEMENT
EAST ONE-QUARTER
CORNER SECTION 3 51 41

PREPARED BY:
STEPHEN H. GIBBS LAND SURVEYORS, INC.
2131 HOLLYWOOD BOULEVARD, SUITE 201
HOLLYWOOD, FL 33020 (954) 973-7686
LICENSED PROFESSIONAL SURVEYOR NO. 50136

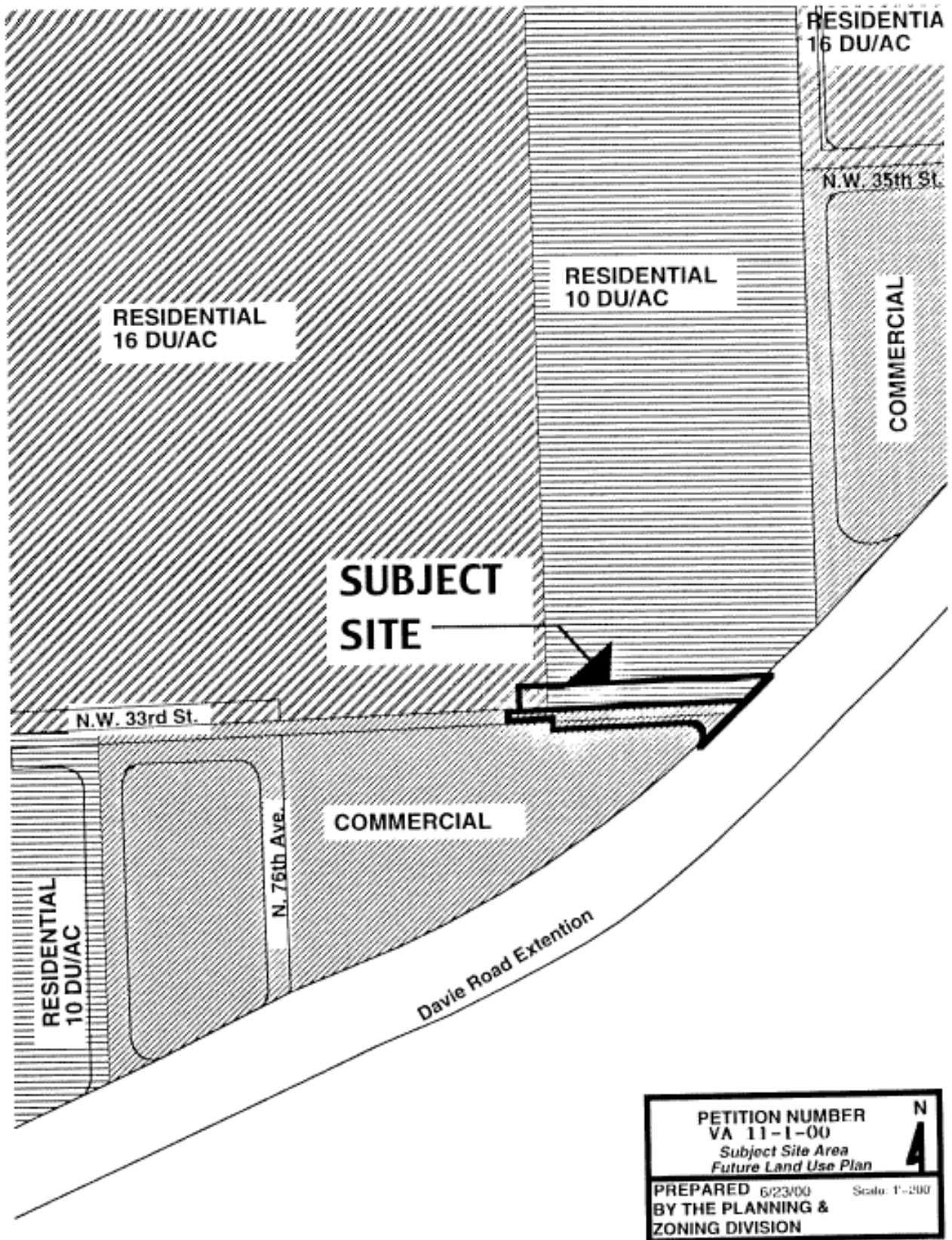
NOT VALID WITHOUT THE SIGNATURE AND
ORIGINAL RAISED SEAL OF THE FLORIDA
LICENSED SURVEYOR AND MAPPER

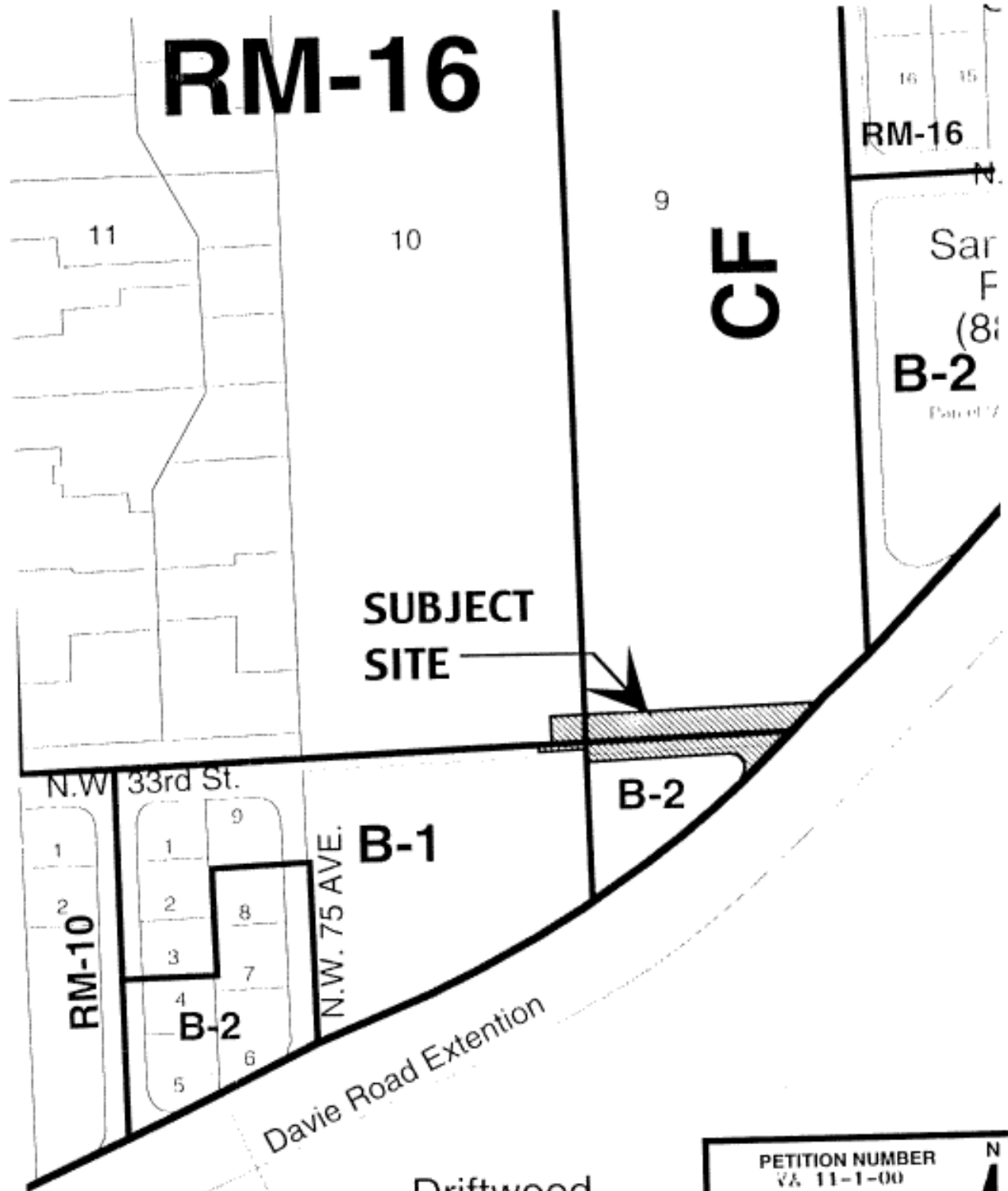
DATE OF SKETCH: 12-14-89
SCALE: 1" = 60' F.T.L.
TYPE OF SKETCH OR SURVEY:
SKETCH OF DESCRIPTION

STEPHEN H. GIBBS, FOR THE FIRM
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 40054

REV. NO.:
DATE NO.:
DRAWN BY: SHG
REVISION:

DWG. NO.:
REV. NO.:
CHECKED BY: SHG
DATE:





Driftwood
Estates No. 21
(52-1)

PETITION NUMBER VA 11-1-00		N ▲
Subject Site Area Zoning Map		
PREPARED 02/2001		Scale: 1" = 250'
BY THE PLANNING & ZONING DIVISION		

